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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RSA 74/2021 & CM APPLs. 37811/2021, 42267/2021, REVIEW
PET. 193/2021**
**THE NEW FRIENDS COOPERATIVE HOUSING SOCIETY
LTD. Appellant**

Through: Mr. S.C. Singhal, Mr. Amir Rabbani,
Ms. Poonam Taneja & Mr. Pradeep
Verma, Advocates (M-9810061558)

versus

**M/S. PANGASA EXPORTS THROUGH MRS. PREM PANGASA
& ANR. Respondents**

Through: Mr. Sudhir Nandrajog, Sr. Advocate
with Mr. Vibhor Garg & Mr. Sidhant
Bhatia, Advocates for R-2

**CORAM:
JUSTICE PRATHIBA M. SINGH**

ORDER
% **09.09.2022**

1. This hearing has been done through hybrid mode.
2. The present second appeal (*hereinafter*, 'present appeal') has been filed challenging the judgment dated 1st November, 2018, passed by the Ld. District Judge (Central), Tis Hazari Courts, Delhi (*hereinafter*, 'Appellate Court'), in **RCA No. 04/2017** titled ***The New Friends Cooperative House Building Society v. M/s. Pangasa Exports and Anr.*** By the impugned judgment, the Appellate Court dismissed the first appeal against the judgment, and decree dated 27th January, 2017 passed by the Ld. Civil Judge-01, Central District, Delhi (*hereinafter*, 'Trial Court') in **Suit No.593587/16** titled ***The New Friends Cooperative House Building Society Ltd. v. M/s. Pangasa Exports and Anr.***, whereby the Trial Court had dismissed the Appellant's suit



for ejectment and recovery on account of rent, damages and mesne profits.

3. Vide order dated 27th October, 2021, *status quo* was directed to be maintained in respect of title and possession of the suit property. **Review Petition - 193/2021** (hereinafter, 'review application') and an application for vacation of the interim status quo order i.e. **CM APPL. - 42267/2021** (hereinafter, 'application for vacation'), have been filed on behalf of the Respondent No. 2 - M/s. Overseas Carpets Ltd.

4. The application for vacation and the review application remained pending as pleadings were still due to be completed. They have also been heard in part by this Court on 6th January, 2022.

5. Today, the present appeal is listed for hearing. However, Mr. Singhal, Id. Counsel for the Appellant, submits that he was under the impression that only the review application would be heard today.

6. Considering the nature of the matter, the hearing in the applications would be almost the same as hearing the present appeal itself.

7. Accordingly, it is made clear that the present appeal shall be finally heard on the next date with all the pending applications, as to whether any substantial question of law arises in this matter.

8. Interim orders to continue till the next date.

9. List on 10th November, 2022.

PRATHIBA M. SINGH, J

SEPTEMBER 9, 2022

Rahul/KS